

On November 11, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17195. Adulteration and misbranding of canned shrimp. U. S. v. 90 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23960. I. S. No. 09145. S. No. 2167.)

On or about August 22, 1929, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 90 cases of canned shrimp at Detroit, Mich., alleging that the article had been shipped by Granger & Co., from Buffalo, N. Y., June 16, 1929, and transported from the State of New York into the State of Michigan, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Grangers Brand Shrimp Wet Pack Contents 5 $\frac{3}{4}$ ozs. Distributed by Granger & Company, Buffalo, N. Y."

Examination of the article by this department showed it to be decomposed and short weight.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, or putrid animal substance.

It was further alleged in the libel that the article was misbranded in violation of section 8 of the act, general paragraph and paragraphs 2, 3, and 4, in the case of food.

On March 24, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17196. Adulteration of tomato sauce. U. S. v. 700 Cases of Tomato Sauce. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24476. I. S. No. 029813. S. No. 2738.)

On or about January 27, 1930, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 700 cases of tomato sauce, remaining unsold in the original cases at Detroit, Mich., alleging that the article had been shipped by F. Romeo & Co. (Inc.), Dover, Del., January 4, 1930, and transported from the State of Delaware into the State of Michigan, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Giulietta Brand Salsa Di Pomodoro Uso Napoli Made in U. S. A. Giulietta Packing Co. Giulietta Brand Tomato Sauce."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On March 24, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17197. Adulteration and misbranding of mustard. U. S. v. 18 Cases of Mustard. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 23899. I. S. No. 08422. S. No. 2108.)

On July 27, 1929, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 18 cases of mustard, remaining in the original unbroken packages at Fort Wayne, Ind., alleging that the article had been shipped by the Harbauer Co., from Toledo, Ohio, on or about February 26, 1929, and transported from the State of Ohio into the State of Indiana, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it contained about 15 per cent of added bran which had been mixed and packed with and substituted in part for mustard.

Misbranding was alleged under section 8, paragraphs 1 and 2 of the act, for the reason that the labels on the cases and packages, "Elks Pride Brand Mustard Colored with Turmeric Net Wgt. 9 Lbs. Made by the Harbauer Co.,"

were misleading and tended to deceive and mislead purchasers as to the quality and strength of the article.

On August 27, 1929, the Harbauer Co., Toledo, Ohio, claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17198. Adulteration of grapefruit. U. S. v. 360 Boxes of Grapefruit. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24567. I. S. No. 022608. S. No. 2878.)

On February 20, 1930, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 360 boxes of grapefruit, remaining in the original unbroken packages at Colorado Springs, Colo., consigned by R. J. Williams, Sharyland, Mission, Tex., alleging that the article had been shipped in interstate commerce on February 10, 1930, from Sharyland via Mission, Tex., into the State of Colorado, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Grapefruit * * * Packed For Valley Fruit Co. McAllen, Texas. Lower Rio Grande Valley Texas Valley Sweet, etc. Rio Grande Valley Citrus Fruit No. 1, 46 Marsh Seedless."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On February 24, 1930, the C. H. Robinson Co., a Colorado corporation, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$2,000, conditioned that it should not be used, sold, or disposed of contrary to the provisions of the Federal food and drugs act. It was further ordered that the fruit be examined under the supervision of this department and any portion found to be decomposed or frozen be destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17199. Adulteration of grapefruit. U. S. v. 360 Boxes of Grapefruit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24547. I. S. No. 022602. S. No. 2870.)

On February 20, 1930, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 360 boxes of grapefruit, remaining in the original unbroken packages at Denver, Colo., consigned by the Etchison Produce Co., Raymondville, Tex., alleging that the article had been shipped from Raymondville, Tex., on or about February 5, 1930, and transported from the State of Texas into the State of Colorado, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Golden March Seedless Whip Brand Citrus Fruits Packed and shipped by R. L. Roots, Raymondville, Tex. * * *. Grown by W. A. Harding, Raymondville, Tex."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed vegetable substance.

On March 4, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17200. Adulteration and misbranding of vinegar. U. S. v. 55 Barrels of Vinegar. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 23976. I. S. No. 011417. S. No. 2217.)

On September 3, 1929, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 55 barrels of vinegar at Albert Lea, Minn., alleging that the article had been shipped by the Marshall Vinegar Co., from Marshalltown, Iowa, in part on or about June 5, 1929, and in part on or about June 22, 1929, and transported from the State of Iowa into the State of Minnesota, and charging adulteration and misbranding in violation of the food and drugs